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AUTHOR	Hughes, Jean O.; Sandler, Bernice R.
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ABSTRACT

A guide on sexual harassment for female college students is presented. Sexual harassment is defined as coerced, unethical, and unwanted intimacy. The following topics are covered: who is likely to be harassed, the effects of sexual harassment, the difference between voluntary sexual relationships and sexual harassment, verbal and physical sexual harassment, what victims of sexual harassment should avoid doing, how the victim can get the institution involved if individual action does not work, what female students can do about sexual harassment, formal and informal institutional ways to deal with sexual harassment, things to keep in mind, ways to discourage sexual harassment, actions to take if someone else if being harassed, ways to ensure that the institution is handling sexual harassment fairly, what can be done about sexual harassment as a member of a group, what the law says about sexual harassment, other legal options, problems inherent in dating one's professor, and myths/facts about sexual harassment. Examples of sexual harassment are briefly described. Four categories of students who may be especially vulnerable to sexual harassment are identified: women in nontraditional fields, women in graduate school, minority women, and women who are vulnerable because of youth, inexperience, or unassertiveness. (SW)

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In Case of Sexual Harassment

A Guide for Women Students

We Hope It Doesn't Happen To You, But If It Does . . .

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Myths About Sexual Harassment

MYTH: Sexual harassment only happens to women who are provocatively dressed.
FACT: Sexual harassment can happen to anyone, no matter how she dresses.

MYTH: If the woman had only said "NO" to the harasser, he would have stopped immediately.
FACT: Many harassers are told "NO" repeatedly and it does no good. NO is too often heard as YES

MYTH: If a woman ignores sexual harassment, it will go away.
FACT: No, it won't. Generally, the harasser is a repeat offender who will not stop on his own. Ignoring it may be seen as assent or encouragement.

MYTH: All men are harassers.
FACT: No, only a few men harass. Usually there is a pattern of harassment: one man harasses a number of women either sequentially or simultaneously, or both.

MYTH: Sexual harassment is harmless. Women who object have no sense of humor.
FACT: Harassment is humiliating and degrading. It undermines school careers and often threatens economic livelihood. No one should have to endure humiliation with a smile.

MYTH: Sexual harassment affects only a few people.
FACT: Surveys on campus shows that up to 30 percent of all female college students experience some form of sexual harassment. Some surveys of women in the working world have shown that as many as 70 percent have been sexually harassed in some way.

Why This Booklet?

Sexual harassment—even the term makes some people uncomfortable. Perhaps it sounds too legalistic or too remote to be a real factor in a student's life. It may sound like something that can be safely ignored, perhaps until the student reaches the "real" working world. But sexual harassment is an issue on campus that will *not* go away by being ignored: twenty to thirty percent of all female college students experience some form of sexual harassment (ranging from sexist comments, to direct solicitations for sexual favors, to assault), and two percent of all female students experience direct threats or bribes for sexual favors. Two percent may not sound like much, but that is approximately 125,000 women on campus who have had serious problems with sexual harassment. Unfortunately, no school can claim to be exempt, even those with policies prohibiting sexual harassment. Although some schools have developed pamphlets telling students how to deal with it, most have not. In order to fill that void we decided to develop this booklet.

Who Is Likely To Be Harassed?

Anyone on campus is a possible victim of sexual harassment but for the purposes of this booklet, we will be discussing the sexual harassment of students, both undergraduate and graduate. We hope it won't happen to you, but if it does, this booklet may be helpful. We focus on heterosexual harassment, instances where men harass women (and so we will refer to the victim as "she" and the harasser as "he"). Although harassment of men by women exists, as well as gay harassment, these are relatively rare. In any case, many of the strategies we suggest could apply to these types of harassment as well.

Students can be sexually harassed by anyone on campus—professors, advisors, teaching assistants, staff, administrators, or maintenance workers. It can even happen between two students, as when a male student harasses a female student in class and the teacher allows the harassment to occur. It is not limited to the young and the "attractive." It can happen to older students returning to school just as easily as it can to younger students. As with rape, vulnerability and naivete are sometimes key factors in selection of victims.

Written by Jean O. Hughes, Research Assistant and Bernice R. Sandler, Director, Project on the Status and Education of Women, Association of American Colleges.

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What Are the Effects of Sexual Harassment?

Sexual harassment affects women in many ways, none of them good. Too often the woman blames herself. Others may also blame her, holding her responsible for what happened rather than blaming the person who did the harassing. The woman's self-confidence and self-esteem may be diminished. She may suffer physical symptoms of stress such as stomach problems and headaches. The effects can be evident, as when a victim drops a course, changes a major, or even drops out of school; or they can be less noticeable as when she becomes depressed and moody and doesn't quite know why. Often a victim feels anger that cannot be expressed and which may lead to feelings of helplessness, powerlessness, and isolation.

What follows, then, is a discussion of what sexual harassment is and what to do about it. Because the strategies suggested are meant to cover the broadest possible range of situations, not every strategy suggested will be appropriate for every person or situation. Suit the strategy to the circumstance. The point is that you *do* have *options*. Even though professors and others have power to harm students they don't have the right to do so. There *are* ways in which they can be stopped. *Change is possible.*

What Is Sexual Harassment?

Sexual harassment is primarily an issue of power, not sex. It occurs when a person with power abuses that power. It is a breach of the trusting relationship that normally exists between students and others in the academic community. Sexual harassment creates confusion because the boundary between the professional role and personal relationship blurs. The harasser introduces the personal element into what should be a sex neutral situation.

The difference betwen voluntary sexual relationships and sexual harassment is that harassment contains elements of coercion, threat and/or unwanted attention in a nonreciprocal relationship.[1] Sexual harassment usually is unwelcome and repeated behavior, but in some instances it can be an action that only occurs once. In most normal interpersonal relationships an individual can exercise freedom of choice in deciding with whom they wish to establish a close, intimate relationship. These choices are based on mutual attraction, caring and a reciprocal interest in pursuing the relationship. These elements are absent in sexual harassment.

Sexual harassment can involve persons in authority who make you uncomfortable because they:

- subject you to unwanted sexual attention, such as making sexual or suggestive comments;
- attempt to coerce you into a sexual relationship;
- punish or threaten to punish you for refusal to comply;
- imply that sexual favors may be a basis for grades in a course or otherwise influence your evaluation;
- engage in conduct which has the purpose or effect of interfering with your performance or creating an intimidating, hostile or offensive work or learning environment.

Simply put, sexual harassment is coerced, unethical and unwanted intimacy.

What Are the Types of Sexual Harassment?

Most sexual harassment falls into two categories, verbal and physical. Verbal harassment may include:

- sexual innuendos and comments and sexual remarks about your clothing, body, or sexual activities ("So you're majoring in physical therapy? Gee, I'd love to get some physical therapy from you."; "I noticed you lost weight; I'm glad you didn't lose your gorgeous chest, too."; or "Those jeans really fit you well.");
- suggestive or insulting sounds;
- whistling in a suggestive manner;
- humor and jokes about sex or women in general;
- sexual propositions, invitations or other pressure for sex ("My office hours are very limited; why don't you drop by my house this evening where we can have plenty of privacy and time to get to know each other much better.");
- implied or overt threats ("It's very simple; if you want to pass accounting, you have to be nice to me and sex is the nicest thing I can think of. It's up to you.").

Physical harassment may include:

- patting, pinching, and any other inappropriate touching or feeling;
- brushing against the body;
- attempted or actual kissing or fondling;
- coerced sexual intercourse;
- assault.

Other types of sexual harassment may include:

- leering or ogling (for example, an advisor who meets with a student and stares at her breasts);
- making obscene gestures.

Some types of sexual harassment are really inappropriate behavior that continues even after the student makes it clear that it is unwanted. For example, *some* people may like to be patted or touched on the back or arm as a gesture of support, but it may not be universally liked when a teacher does this. The gesture becomes sexual harassment when a student asks the teacher not to do it or in some other way clearly indicates displeasure and the teacher continues to do it.

Some people also consider insults about women in general or displaying obscene photographs and literature as a form of sexual harassment while others do not.

[1] In some instances professors may claim they, too, are being sexually harassed because students are "coming on" to them against their wishes. Even if professors may feel physically intimidated by students who "come on" to them, they nevertheless can say "no" without worrying about their self-esteem or loss of a grade or job, which makes the situation somewhat different than when a professor "comes on" to a student.

What Are Examples of Sexual Harassment?

As you can see, sexual harassment can take many forms. Harassment is not always just in the eye of the beholder. Some of the examples below will show you some of the ways sexual harassment might occur.

- Anne B. is a junior, on the Dean's List, whose English professor repeatedly asked her to go out with him throughout the semester. She refused. Now she finds that her papers in his class are getting very low marks and she is in danger of getting a D for the semester. She is sure that it is retaliation for her refusal.
- Every time Margaret R. sees her advisor in his office, he closes the door, sits close to her and seems to pat her knee a lot in the course of their discussion. Margaret is uncomfortable with this behavior and tries to move away so he can't touch her. He only moves closer to her and continues the behavior. Margaret doesn't know what to do about it.
- Katherine B. is a work-study student who needs her job to stay in school. One day while she is working alone with her boss he puts his arms around her and invites her to come home with him that night. She refuses, and leaves immediately. In the days following, her boss continues to suggest she come home with him and finally she can't face going back to work again. Now she worries about not having a job and how she is going to make her tuition payment next semester.
- Judith M., a single mother who has returned to school to complete her degree after a ten-year absence, asks her professor how she might improve her grade. He suggests they spend more time together, perhaps have dinner, so he could get to know her better and figure out how to give her extra help.
- Maria V. is a sophomore and depressed over the break-up of her relationship with Bill. She had spent all her free time with him and was emotionally dependent on him. She goes to the school counselor who is sympathetic and kind and always available to talk. This interest boosts her self-esteem and convinces her that she is an attractive person. One afternoon he suggests that she come have drinks with him at a new bar so that they can get closer.
- Christine F. is one of the few women in her class in engineering school. She wants to take more classes in a certain specialty but the professor frequently refers to female students in belittling and lewd terms. She decides not to pursue this specialty because, considering his attitude, she doubts she will be treated fairly.

Who Is Especially Vulnerable to Sexual Harassment?

Although all female students can be harassed, there are four categories of students who may be especially vulnerable to sexual harassment;

- *women in nontraditional fields* because they may be perceived as "barging into" an area where women "don't belong" and will now be in competition with men for jobs;
- *women in graduate school* who may be nearer in age to their teacher, and involved in close working relationships that could be misinterpreted by faculty as sexual interest;
- *minority women* who may be sexually harassed as a form of racism or because of stereotypes, for example, such as those that depict Black women as more sexually "available"; and
- *vulnerable women* whose youth, inexperience, unassertive manner and social isolation are detected by the harasser who entices her into an exploitive relationship.

What Should You *Not* Do?

There are three things that you should avoid at all costs.

- *Don't blame yourself.* Sexual harassment is not something that a woman brings on herself, it is action that the harasser decides to take. It's not your fault. Blaming yourself only turns your anger inward and can lead to depression. You need to turn your anger *outward*, against the appropriate person, the harasser.
- *Don't delay.* If you delay action when someone harasses you, it is likely to continue. Also, if you intend to file charges against someone and put off doing so for a long time, you may find out that you have missed the time limit for doing so.
- *Don't keep it to yourself.* By being quiet about sexual harassment, you enable it to continue. Chances are extremely good that you are not the only victim. Speaking up can protect other people from also becoming victims. Additionally, not telling anyone encourages feelings of helplessness and can also lead to blaming yourself for the incident.

How Can You Get the Institution Involved If Individual Action Doesn't Work?

If individual action, such as saying "No" or writing a letter does not work and the harassment continues, then it is time to consider involving the college or university in the situation if you have not already talked to someone. There are both informal and formal routes to take. Generally speaking, it is better to try the informal approach first.

The first step is to find out who the appropriate person is to contact. This obviously varies from institution to institution. The following is a list of possible people to contact:

- Your advisor;
- Your RA (residence assistant);
- A faculty member (this can be anyone on the faculty you feel you can talk to);
- The chair of the harasser's department, when the harasser is a faculty member;
- The harasser's supervisor when the harasser is a staff person;
- A counselor at the counseling center;
- A staff member of the women's center;
- The director of personnel;
- A campus police officer;
- The dean of students;
- The vice president for student affairs;
- The affirmative action officer; or
- The Title IX officer.

What *You* Can Do About Sexual Harassment

Ignoring sexual harassment does not make it go away. Indeed, it may make it worse because the harasser may misinterpret no response as approval of his behavior. However, there are things you *can* do, from informal strategies to formal ones. Here are some of your options:

- *Know your rights.* Sexual harassment is illegal in many instances. Your college or university may also have specific policies prohibiting faculty and staff from sexually harassing students and employees. Familiarize yourself with these policies. (For example, you can ask the Dean of Students if there is a policy.)
- *Speak up at the time.* Be sure to say "NO!" clearly, firmly and without smiling. This is not a time to be polite or vague. (For example, you could say "I don't like what you are doing," or "Please stop—you are making me very uncomfortable.") There is a chance—albeit small—that the harasser did not realize that his behavior was offensive to you. Additionally, if you decide to file charges at a later date, it is sometimes helpful, but not essential, to have objected to the behavior.
- *Keep records,* such as a journal and any letters or notes received. Note the dates, places, times, witnesses and the nature of the harassment—what he said and did and how you responded.
- *Tell someone,* such as fellow students or co-workers. Find out if others have been harassed by the same person and if they will support you should you decide to take action. Sharing your concern helps to avoid isolation and the tendency to blame yourself. Sexual harassment incidents are usually not isolated; most sexual harassers have typically harassed several or many people.
- *Identify an advocate,* perhaps a counselor, who can give you emotional support as well as help and information about both informal and formal institutional procedures.
- *Write a letter.*[2] Many people have successfully stopped sexual harassment by writing a special kind of letter to the harasser. This letter should be polite, low-key and detailed, and consists of three parts:
- Part I is a factual account of what has happened, *without any evaluation,* as seen by the writer. It should be as detailed as possible with dates, places and a description of the incident(s). (For example, "Last week at the department party you asked me to go to bed with you," or "On Oct. 21, when I came to you for advice on my test, you patted my knee and tried to touch my breast.")
- Part II describes how the writer feels about the events described in Part I, such as misery, dismay, distrust, and revulsion. (For example, "My stomach turns to knots when I come to class," or "I'm disgusted when I look at you.")
- Part III consists of what the writer wants to happen next. This part may be very short, since most writers usually just want the behavior to stop. (For example, "I don't ever want you to touch me again or to make remarks about my sexuality," or "Please withdraw my last evaluation until we can work out a fair one.")

The letter should be delivered either in person or by registered or certified mail. Copies are *not* sent to campus officers or the press. The writer should keep at least one copy of the letter. (In the unlikely event that it fails to achieve its purpose, the letter can later be used to document retaliation[3] or in support of a formal complaint or lawsuit.)

In most cases, the harasser is often astonished that his behavior is viewed in the way the writer sees it. He may also be fearful of a formal charge, and worry about who else has seen the letter. The letter also seems to be far more powerful than a verbal request—even those who may have ignored verbal requests to stop, often respond differently when the request is put into writing. The recipient of the letter rarely writes back; usually he just stops the sexual harassment immediately, and typically does not harass anyone else either.

Occasionally the harasser may want to apologize or discuss the situation. You don't need to discuss it if you don't want to—you can simply reiterate that you want the behavior to stop and it's not necessary to discuss it.

There are many advantages to writing a letter:

- it helps the victim regain a sense of being in control of the situation;
- it often avoids formal charges and a public confrontation;
- it keeps the incident(s) confidential;
- it provides the harasser with a new perspective on his behavior;
- it may minimize or prevent retaliation against the writer;
- it is not necessary to address questions such as legality, confidentiality, evidence and due process; and
- it usually works.

Other Strategies

- *Report the behavior on the course evaluation form.* This will alert other members of the campus community such as the chair of the harasser's department, but may not necessarily lead to action.
- *Take assertiveness training.* These classes can teach you a wide range of behaviors in dealing with uncomfortable situations, such as sexual harassment.
- *Take a self-defense course.* These courses not only teach you a variety of ways to defend yourself physically, they also tend to increase participants' self-confidence and self-esteem.

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[2] Based on an article, "Dealing With Sexual Harassment" by Mary P. Rowe which appeared in the May-June 1981 *Harvard Business Review.* Subsequently developed into a paper focusing on sexual harassment on campus and written by Bernice R. Sandler, "Writing a Letter to the Sexual Harasser: Another Way of Dealing With the Problem" is available from the Project on the Status and Education of Women as part of a packet of papers dealing with sexual harassment on campus. For ordering information, see Selected List of Resources.

[3] Any form of retaliation is prohibited to the same extent that sexual harassment is prohibited. In other words, if your school prohibits sexual harassment it also prohibits the sexual harasser from retaliating against anyone who brings charges against him.

What Are the Informal Institutional Ways to Deal With Sexual Harassment?

Informal procedures tend to concentrate on conciliation, not sanctions. Sometimes, the situation can be resolved without having to confront your harasser or having him know that it was you who "turned him in." If confidentiality is an issue for you, you must find out the school's policy before you proceed. Informal procedurs rarely involve written complaints. Thus, you could go to the chair of the harasser's department or the dean and ask him or her to have a talk with the harasser and tell the harasser to stop his behavior. If you are working, you could ask the harasser's supervisor to have a talk with the harasser and ask him to stop bothering you. In both instances, you are only asking for a stop to the harassment, with the aid of a person in charge. At this informal stage, the victim is not asking for any kind of sanctions against the harasser.

Another informal method, not quite as effective but sometimes useful if you do not want the person in authority to talk specifically with the harasser, is to ask the person in authority to send a letter to the entire department (or to all supervisors) reminding them of the institution's policy against sexual harassment and enclosing a copy of the policy itself.

The advantage of an informal approach is that the situation is more likely to be treated confidentially, and also avoids the details of the more formal procedure. Some students are reluctant to harm the professor who is harassing them (and in fact harming them); groundless as this fear may be, informal procedures do avoid harming the harasser. They are a good way to deal with less serious harassment situations, and when the harasser is willing to change his behavior.

The disadvantage of the informal approach is that it depends on the person handling the complaint to be fair and objective. This is not always the case. Some people may also be discouraged by the lack of formality because they will not always know precisely what the complaint procedure will involve or how the situation will be handled.

What Are Some Things To Keep in Mind?

If you do decide to involve the institution informally, here are some suggestions that you might want to keep in mind:

- *What should you do?* Report the exact behavior and, if possible, the date(s) on which it occurred.
- *What should you ask for?* Make it clear that you want the behavior to stop.
- *What should you say if the person to whom you talk says you should be able to handle it yourself?* You can point out that this is, in fact, not possible (for whatever reason) and that your coming for help was a way in which you hoped to take care of the situation quietly, rather than filing formal charges.
- *What should you do if the person to whom you talk is unsympathetic?* Keep a record of your talk and consult someone else.
- *What if you are nervous about presenting your case to someone in authority?* Rehearse with a friend beforehand. You can also take a friend with you.
- *Questions to ask:*
  - Will they use your name?
  - When will they talk to the harasser?
  - When can you meet with them again to find out what happened when they talked to the harasser?
  - If this doesn't work, what are the formal institutional grievance procedures for filing charges?
  - Is there anything else you should do?

What Are the Formal Institutional Ways to Deal With Sexual Harassment?

If other procedures have failed, you might want to use the "formal route." Using formal procedures may mean that sanctions will be invoked against the harasser, such as being required to make a formal apology, receiving a suspension, paying a fine, or being fired. This necessarily involves several other people, includes some sort of investigation, and in some instances, entails publicity about the incident(s), although the institution usually does not want these incidents publicized. Formal grievance procedures vary from campus to campus and you need to familiarize yourself with your campus' procedures first. You may be asked to be present at the talk to give both of you a chance to tell your side of the story. You do not need to have had repeated instances of sexual harassment in order to bring charges against someone. Be aware that there are usually deadlines involved; if you decide to file formal charges, be sure to do so within the time limit allowed. Generally you have to go through several steps:

- You file a complaint. This usually involves a written description of what occurred.
- A hearing is scheduled to determine if sexual harassment has indeed occurred, the severity of the incident, and if severe sanctions are warranted. This hearing could be before a faculty committee or a committee composed of the top administrators on campus.
- A decision is made concerning what actions, if any, will be taken.
- There may be an appeals process; i.e., the harasser may be able to appeal the decision made.

If you decide to institute formal procedures against a harasser, it helps to have some evidence to back up your claim so it is not just a case of your word against his. For example, this would be the time to show copies of a letter you wrote asking the harasser to stop, or your notes or diary describing the incidents, or to bring witnesses, if any, to the harassment against you. Be sure to mention if you had asked him to stop and he did not.

The advantage of a formal procedure is that you know what you are getting into. If you have had a serious incident occur, this is a serious way to deal with it.

The disadvantage of a formal procedure is that it can be intimidating. Formal procedures often take a great deal of time and are not really equipped to deal with simpler complaints and questions.

What Else Should You Know About Formal Procedures?

Before you get involved in bringing formal charges, it may be helpful to ask some questions first:

- Has anyone used the formal grievance procedure before? What happened?
- Who conducts the investigation?
- Who can help you prepare your case? (For example, the women's center.)
- Do you need an attorney?
- Can you bring an attorney or other person to the hearing?
- Will you be notified ahead of time if the harasser decides to bring an attorney to the hearing?
- If he brings an attorney to the hearing, will you be cross-examined?
- Will you or your attorney be allowed to cross-examine the harasser?
- What is the time frame involved?
- What kind of publicity will occur?
- What are the sanctions?
- Will you be told what happens to the harasser?

A Word of Caution

Before you take any action to deal with sexual harassment, stop and think. You are not living in a vacuum; virtually any action you take will provoke a reaction. Even when you speak to the harasser and tell him "No" you need to think about how you word it. It is far more effective to say "Stop that, I don't like it" than to say "Get your hands off me, you pervert." Calling people names tends to escalate anger and the situation can get beyond your control quickly. There are two things to be especially aware of:

- Don't get too carried away with revenge; harassers do have rights, too. It may be emotionally satisfying to make every attempt to destroy a harasser's reputation but what is more important is that the harasser stop harassing you and other students. Also, in some instances where the harasser is genuinely unaware of the effects of his actions, and genuinely contrite, it should be enough that he stops. Further action beyond this may be unnecessary.

Are There Any Ways to Discourage Sexual Harassment?

It is not likely that sexual harassment can ever be totally eliminated but it may be possible to cut down the odds of it happening. Although the following list describes some of the things you can do, keep in mind that should sexual harassment occur, it is not your fault.

- If possible, keep the door open when you visit your professor or advisor. Small offices with the door closed can sometimes lead to a "cozy" rather than professional atmosphere. If you feel uncomfortable when the door is closed, you can always say, for example, "Excuse me, but I'd feel more comfortable with the door open" without going into any long explanations.
- Dress neutrally in class and when visiting professors or advisors. Clothing does not cause sexual harassment. However, some men may perceive low-cut tops or skimpy shorts as a sexual invitation even though that is not what it means to the woman wearing such clothes. It might also encourage some males to relate to women physically instead of intellectually. Keep in mind that to some persons *any* kind of clothing may be viewed as a sexual come-on.
- Avoid any kind of flirtatious behavior with professors. Remember, too, that it is always possible for some men to misinterpret overly friendly behavior as an indication of sexual interest. Professors are no exception. You are generally better off to keep conversations on intellectual, rather than personal, subjects especially when you are first getting to know your professor.
- Beware of threats of retaliatory law suits. There have been a few rare instances where women who brought formal accusations of sexual harassment against someone were subsequently threatened with a libel suit by the harasser. In all instances the suits were dropped, partly because it is not libel if the accusation is true.

If You Know Someone Who Is Being Harassed

- Support those having harassment problems. If you know of someone who is having a problem, talk with her and do what you can to help her cope with it. This will lessen her feelings of isolation and will help create an atmosphere on campus that is *not* conducive to sexual harassment.
- Encourage anyone having harassment problems to take some sort of action, whether by saying "No" or telling someone in authority what is happening. As mentioned previously, it is better for the victim to take some action in order to feel she has some control over her life. Also, because harassers rarely go after a single victim, many people will benefit if the harassing behavior can be stopped.
- Remind them that it is not their fault that they are being harassed.
- Don't accept sexual harassment as "the way things are" or treat it as a joke. "Silence gives consent" when it comes to sexual harassment. The more seriously people treat it, the greater the chances that the harassers will stop their behavior. If there are no consequences to their actions, they will continue.

How to Ensure That Your Institution Is Handling Sexual Harassment Fairly

Questions to ask about your institution:

- Does your institution have a policy dealing with sexual harassment?

- Is it disseminated (and how?) to students, staff and faculty?
- Is it disseminated to *new* students, staff and faculty?
- Are teaching assistants included?
- Is there an informal procedure to help resolve complaints prior to formal charges?
- Is there a formal procedure to help resolve complaints?
- Are there materials prepared especially for men?
- Is there some sort of training to help faculty and staff deal effectively with students who report being sexually harassed?

What You Can Do About Sexual Harassment as a Member of a Group

If you belong to a campus organization, you have several options to help your campus deal with sexual harassment. Here are some ideas:

- Gather data about sexual harassment on your campus; develop a questionnaire and disseminate it to all students.
- Publicize the results of the survey in the student newspaper. Very often people are surprised to find out how much harassment occurs on *their* campus and may be highly motivated to institute changes when they find out how prevalent it is.
- Organize speak-outs on sexual harassment; have experts give talks on the subject. This not only educates people as to what sexual harassment is and what to do about it, but can also stimulate action on campus to get policies adopted, and grievance procedures against sexual harassment instituted.
- Convene meetings or conferences on sexual harassment. You can have people from other campuses come and share their experiences and strategies.
- Press for an institutional *policy* concerning sexual harassment if none exists. This is a necessary first step to getting the institution to implement procedures against sexual harassment.
- Lobby for institutional *procedures* for dealing with sexual harassment if none exist; policy alone is not enough. Having procedures in place frequently acts as a deterrent against sexual harassment.
- Ask for pamphlets, posters and even bookmarks on the subject of sexual harassment to be included in student and employee orientation. This often prevents sexual harassment from occurring and also sensitizes people to the issue *before* it occurs. It also helps people deal with it more effectively should they be harassed themselves.
- Encourage training of faculty and staff about sexual harassment and how to deal effectively with students who report instances of sexual harassment. It does no good to encourage students to talk to faculty or staff when they are harassed, if faculty and staff are unprepared to talk with them about it.

What Does the Law Say About Sexual Harassment

In many instances sexual harassment is illegal. If you decide to take legal action instead of or in addition to personal actions or campus procedures, there are several laws which may apply. Whichever course you pursue, however, you must keep in mind that legal definitions of sexual harassment are usually very specific. In other words, you may need some sort of proof of harassment and also it helps (but it is not necessary) to have witnesses, if at all possible. Keeping a diary or other record is often acceptable as evidence so that your case is not merely your word against his. If you have written a letter, a copy of that letter will also constitute part of your proof. For example, if you have a letter dated November 3 asking that a professor stop whistling at you and on November 15 you have a witness that he whistled at you again, you should have all the proof you need.

These are the laws that may apply:

- *Title IX*. Since 1972, Title IX prohibited sexual harassment of students in any part of any higher education institution receiving federal funds. In 1984, the Grove City case narrowed the application of the law considerably. Sexual harassment, a form of sexual discrimination, is prohibited only in those parts or programs of the institution which receive federal funds. In other words, if only the financial aid office receives federal funds, then sexual harassment is prohibited in that office only. The Congress is currently considering passage of a bill that would reinstate the broad coverage of Title IX. For more information, contact the Office for Civil Rights, U.S. Department of Education, Mary Switzer Building, 330 C St SW, Washington DC 20202.

- *Title VII of the Civil Rights Act of 1964*. According to the guidelines on sexual harassment under Title VII issued in 1980 by the Equal Employment Opportunity Commission, sexual harassment of employees is prohibited. This applies to students who are harassed when they are working, either on or off campus. For more information, contact the Commission at 2401 E St, NW, Washington, DC 20507.

- *State laws*. Depending on what state you are in, there may be a state law prohibiting sexual harassment. For example, some state civil rights laws prohibit sex discrimination. To find out if there is any applicable state law, contact the following, *most of which are located in the state capital:*
  - Your state Civil Rights Commission;
  - Your state Women's Commission;
  - Your state Fair Employment Practices Commission which deals with employment discrimination. (These state commissions are independent agencies but most are under contract from the Equal Employment Opportunity Commission to deal with local complaints of discrimination);
  - The local office of the Office for Civil Rights under the Department of Education;
  - The local chapter of the National Organization for Women (NOW) or other women's groups might know local organizations or attorneys dealing with discrimination;
  - The local chapter of the American Civil Liberties Union (ACLU) might be able to help; and
  - The state Bar Association might be able to refer you to help.

Other Legal Options

• *Civil Suit*. It is, of course, possible to sue someone who has or is harassing you. Some attorneys will agree to take your case on a percentage basis (for example, if you win any financial damages, your attorney will get 50 percent of your settlement). Generally, civil suits are time-consuming and sometimes there is a risk of a countersuit.

• *Criminal Suit*. In situations where actual assault or sexual abuse has taken place, a student may be able to bring criminal action against the harasser. You need to talk to a lawyer or someone at the local district attorney's office.

* * *

Sexual harassment on campus is a widespread problem, but ordinarily it is only a tiny minority of the men who are doing the harassing. But these few men can do considerable damage to a number of women. As women become more aware of sexual harassment as a problem, and how it interferes with their academic experience, we hope they will be more active in their resistance to it. If this is done, the incidence can be decreased, the onus can be put squarely on the perpetrators (not the victims) and women can feel safer on campus.

Selected Resources

[There is quite a bit written about sexual harassment in the workplace, but not as much concerning sexual harassment on campus. The following is a short selected list of resources specifically dealing with or applicable to sexual harassment in academe. Your library may have other resources.]

The Sexual Harassment Packet by the Project on the Status and Education of Women (PSEW). Includes 6 papers on sexual harassment: "Sexual Harassment: A Hidden Issue," "Selected Articles from *On Campus With Women, 1982-1985*," "Title VII Sexual Harassment Guidelines and Education Employment," "What Can Students Do About Sex Discrimination?," "Writing A Letter to the Sexual Harasser: Another Way of Dealing With the Problem," and "Harvard Issues Statement About Sexual Harassment and Related Issues." Available for $5.00 from PSEW, 1818 R St., NW, Washington, DC 20009.

The Lecherous Professor, Sexual Harassment on Campus by Billie Wright Dzeich and Linda Weiner, 1984, 219 pages. Available for $16.95 from Beacon Press, 25 Beacon St., Boston, MA 02108.

Sexual Harassment: A Report on the Sexual Harassment of Students by Frank J. Till, 1980. Available free from the National Advisory Council on Women's Educational Programs (NACWEP), 2000 L St., NW, Suite 568, Washington, DC 20036.

Journal of the National Association for Women Deans, Administrators, and Counselors, Winter 1983, Vol. 46, No. 2. The entire issue is devoted to sexual harassment on campus. Available for $7.50 from NAWDAC, 1325 18th St., NW, Suite 210, Washington, DC 20036.

"When Professors Swap Good Grades for Sex," by Noel Epstein, *The Washington Post*, Sept. 6, 1981.

"Harassment on Campus: Sex in a Tenured Position?" by Anne Field, *MS* Magazine, Sept. 1981, p. 68.

What About Dating Your Professor?*

The best time to date your professor, if at all, is *after* you have graduated from school. While it is true that some students have been able to date their professors without any problems, this is the exception rather than the rule. Some of the problems inherent in dating your professor are:

- When he has so much power over your grade(s) (and hence your future), it is difficult to have a relationship of equals;
- If your relationship is known to other people and your grades are excellent, some students and faculty may question the validity of your grades and find it hard to take you seriously as a student;
- If your relationship is secret people could still find out about it and again question the validity of your grades. Because you have a personal relationship which is likely to influence your professor's objectivity, you yourself may be unsure of your true academic performance which can lead to self-doubt;
- If the relationship ends badly with a lot of hard feelings on both sides, depending on his position,
  - he could sabotage your grade, or at least leave you wondering if his personal feelings influenced the grade;
  - he could talk about you to other teachers and negatively influence how they perceive you;
  - if he is the only one teaching any courses that you must take, it will be very awkward being in those classes. It will be difficult to ensure that his personal feelings wouldn't affect his behavior toward you in class or at grading time;
  - if he teaches in your major department, you might feel very uncomfortable not only with him but with others in the department as well. Indeed, some women go out of their way to avoid both a professor who is an ex-boyfriend and his department in general, and end up feeling alienated by the whole experience;
  - it would be extremely difficult to use him as a reference for graduate school or for employment;
- Even if the relationship ends amicably it would be difficult to know for sure if your grade were influenced by the professor's personal feelings, and it might still be awkward to be in any of his classes in the future.

* Some schools such as Harvard University, the University of Minnesota and Hampshire College frown upon student-faculty dating relationships.

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